IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL BAIL APPLICATION NO.212 OF 2005
IN
CRIMINAL APPEAL NO. 46 OF 2005

Shivaji Chintappa Patil .. Applicant.

v/s.

State of Maharashtra .. Respondent.

Ms.S.J. Patwardhan for applicant.

Ms.Usha Kejariwal, Additional Public Prosecutor for the State.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 1st March, 2005

P.C.

Heard Ms.S.J.Patwardhan, the learned counsel for the accused-applicant and Ms.Usha Kejariwal, the learned APP.

2. Prima facie it cannot be said that there is no legal evidence connecting the accused to the crime. The circumstantial evidence is incriminating enough to support the prosecution case that it was the accused who committed murder of his wife.

3. From the medical evidence, it cannot be held

prima facie that the victim committed suicide.

4. We are informed by the learned counsel that the applicant was not on bail during the trial.

5. Taking overall facts and circumstances of the case, we are satisfied that no case for enlarging the accused on bail during the pendency of appeal is made out.

6. Criminal application for bail is, accordingly, rejected.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)